

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

DONNA DORSEY DAVIS, etc., )  
                              )  
Plaintiff,                 )  
                              ) CIVIL ACTION NO.  
v.                         ) 2:06cv766-MHT  
                              )  
RICHARD M. DORSEY, etc., )  
and CD&O, L.L.C., etc., )  
                              )  
Defendants.                )

ORDER

It is ORDERED that the motion to extend discovery deadline (doc. no. 25) is denied for the following reasons.

"A request or motion for extension of a deadline in any court order ... must indicate that movant has, in a timely manner, previously contacted counsel for all other parties; and ..., based on that contact, must state whether counsel for all other parties agree to or oppose the extension request or motion," and "[a] request or motion that fails to meet this requirement will be denied

outright, unless the movant offers a credible explanation in the request or motion why this requirement has not been met." Scheduling Order (doc. no. 13), § 9(B). Movant here has failed to comply with these requirements.

Moreover, "[a]bsent stated unforeseen and unavoidable circumstances beyond the control of the movant, ... 'eleventh hour' extension requests and motions will be denied outright." Id. The movant has failed to offer any explanation as to why this motion was filed the day before the deadline to complete discovery in this case, rather than days, or even weeks, in advance.

DONE, this the 2nd day of April, 2007.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE